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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/925,536	08/10/2001	Rakesh Kushwaha	19527.0003	4715
23517	7590	06/15/2005	EXAMINER	
SWIDLER BERLIN LLP 3000 K STREET, NW BOX 1P WASHINGTON, DC 20007			SHAH, KAMINI S	
			ART UNIT	PAPER NUMBER
			2142	

DATE MAILED: 06/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/925,536

Applicant(s)

KUSHWAHA ET AL

Examiner

Kamini S. Shah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-14, 16, 17, 19-23, 25, 26, 28-32, 34, 35, 37 and 38 is/are rejected.
- 7) ☒ Claim(s) 7, 15, 18, 24, 27, 33 and 36 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

1. Applicant's arguments with respect to claims 1-38 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-6, 8-14, 16-17, 19-23, 25-26, 28-32, 34-35, 37-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lo Vasco in view of WO 94/30023 (herein after WO '023).

Regarding to Lo Vasco et al teaches communication network, which includes remote unit, wireless network, message center, the method teaches techniques for registering the warranty of a wireless remote unit in communication network. The method includes transmitting registration information from wireless device to the server such as registering a warranty for wireless remote unit 20 using SMS messages, see col. 3, lines 46-47; verifying the registration information at the server such as central processing unit 24 transmits a registration message from wireless transmitter/receiver in order to register with wireless network and steps 206 central processing unit determines whether the user of remote unit 20 has responded positively, see col. 3, lines 54-59 and col. 4, lines 8-13. Furthermore, Lo Vasco teaches remote unit 20 which establishes a

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connection between remote unit and mailbox 42 located in message center 40 via wireless network based on the wireless origination message; placing a command from the mailbox to the wireless device, such as step 222, wireless transmitter/receiver transmits the SMS message to mailbox; delivering the command from the mailbox to the wireless device and executing the command at the wireless device such as warranty storage center server after warranty information is stored in mailbox, periodically access mailbox to download the recent warranty information to warranty database, see col. 4, lines 45-54.

LoVasco does not include to perform functions at the server without request from the wireless device. WO '023 teaches a mobile 6 for receiving the message transmits a confirmation of receipt back to its respective cell site 5, from then on until a update situation, the system will not contact this mobile 6 again on page 5, lines 2-5, and on page 10, lines 4-9, discloses the directory enquiries download enables contact telephone or fax numbers to be delivered to a subscriber's communications terminal without any intervention by the subscriber. Therefore, at the time of invention, it would have been obvious to one of the ordinary skill in the art to manage wireless device of LoVasco as taught in WO '023 for maintaining total compatibility with existing cellular system.

Regarding to claim 2, such as establishing a connection between the wireless devices and the server, transmitting a request to contents of mailbox from the wireless device to the serve, and transmitting the contents of the mailbox from the server to the wireless device, Lo Vasco et al teaches in steps 200 initial activation of wireless remote unit,

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step 202 for registration with wireless network, and steps 212-216 for retrieving warranty information, constructing SMS message and addressing SMS message to mailbox as in figure 2A.

Regarding claim 3, for establishing the connection periodically, Lo Vasco et al discloses warranty information storing in mailbox and warranty storage center server periodically accessing mailbox 42 to download the recent warranty information to warranty database, see col. 4, lines 51-54.

Regarding claim 5, La Vasco teaches as in step 220, remote unit 20 for establishing a connection between remote unit 20 and mailbox 42 located in message center 40 via wireless network 30 and step 222, wireless transmitter/receiver transmits the SMS message to mailbox, and step 224, message center server 46 retrieves the warranty information from the SMS message, see col. 4, lines 33-37.

Regarding claim 6, for establishing the connection periodically, Lo Vasco et al discloses warranty information storing in mailbox and warranty storage center server periodically accessing mailbox 42 to download the recent warranty information to warranty database, see col. 4, lines 51-54.

Regarding claim 8, La Vasco teaches the command for enabling/disabling access of the wireless device to the server such as step 206, for central processing unit 24 determines whether the user or remote unit 20 has responded positively, if not, than central processing unit 24 in step 210 regroups a user input on the user's next activation of remote unit 20, see col. 4, lines 8-15.

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Regarding claims 9 and 10, delivering the command from the mailbox to the wireless device and executing the command at the wireless device to the server such as warranty storage center server after warranty information is stored in mailbox, periodically access mailbox to download the recent warranty information to warranty database, see col. 4, lines 45-54.

Regarding claims 12-14, 16-17, 19-23, 25-26, 28-32, 34-35, and 37-38 12-38, claims the similar subject matter for claiming steps for receiving information from the wireless device rather than transmitting information from wireless device to the server as in 1-6 and 8-11. Therefore, the claims are rejected for the similar reasoning as cited for claims 1-6, 8-11.

Allowable Subject Matter

4. Claims 7, 15, 18, 24, 27, 33, 36 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the


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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kamini S. Shah whose telephone number is 571-272-2279. The examiner can normally be reached on IFP.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal B. Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Kamini S Shah
Primary Examiner
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kss